

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAXWELL J. PODGORSKI,

Defendant.

8:18CR243

**ORDER ON APPEARANCE FOR
PRETRIAL RELEASE VIOLATION**

The defendant appeared before the court on June 24, 2019 regarding [47] Petition for Action on Conditions of Pretrial Release. Thomas M. Petersen represented the defendant. Gregory D. Artis, Jr. represented the government. The defendant was advised of the alleged violations of pretrial release, the possible sanctions for violation of a release condition, and the right to a hearing in accordance with the Bail Reform Act. 18 U.S.C. § 3148.

The defendant entered an admission to violating conditions of release. The Court took judicial notice of the petition and violation report. The court finds the defendant freely, knowingly, intelligently, and voluntarily admitted violating the release condition 2A. The Court further finds there is clear and convincing evidence that a condition was violated. Therefore, the Court finds the defendant violated the Order Setting Conditions of Release, Filing No. 23, Attachment 5.

The government did not request an order of revocation and detention. The defendant requested to be released on present or amended conditions. After consideration of the report of Pretrial Services and the arguments of the parties, and affording the defendant an opportunity for allocution, the Court finds there are conditions or combination of conditions that will reasonably assure the defendant will not flee or will not pose a danger to any other person or the community, and the defendant is likely to abide by conditions of release. The defendant's request for release is granted. The Order Setting Conditions of Release, Filing No. 23, Attachment 5, shall not be revoked and the defendant shall be released on the current terms and conditions of supervision.

IT IS SO ORDERED.

Dated this 24th day of June, 2019.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge